

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

_____ BRECKENRIDGE PHARMACEUTICAL, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 08-cv-03479 (JES)
INTERPHARM HOLDINGS, INC., and)	
INTERPHARM, INC.,)	
)	
Defendants.)	
_____)	

STIPULATION AND ORDER

Pursuant to Rule 41(a)(1)(ii) and 41(c) of the Federal Rules of Civil Procedure, the parties to the above-captioned action, by their respective counsel, hereby stipulate that this action, including all claims and counterclaims asserted therein, be and hereby is dismissed with prejudice and without costs to any party and with all rights of appeal waived.

The parties further stipulate that (i) the preliminary injunction entered in this action on May 23, 2008, is vacated upon the entry of this Order, and (ii) that the Order to Show Cause submitted by Breckenridge on or around May 30, 2008 is hereby withdrawn.

Dated: New York, New York
June 27, 2008

Breckenridge Pharmaceutical, Inc.
by its attorneys

Interpharm Holdings, Inc. and Interpharm, Inc.
by their attorneys

/s/ C. Randolph Ross
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SO ORDERED:

John E. Sprizzo, U.S.D.J.

Date: _____, 2008